

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

|                          |   |                        |
|--------------------------|---|------------------------|
| UNITED STATES OF AMERICA | § |                        |
|                          | § |                        |
| v.                       | § | C.R. NO. C-07-747M (2) |
|                          | § |                        |
| DANIEL GUAJARDO          | § |                        |

**ORDER OF DETENTION PENDING TRIAL**

On December 18, 2007, a detention hearing was held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of defendant pending trial in this case:


(1) There is probable cause to believe the defendant committed an offense for which a term of imprisonment ranges between five years and forty years pursuant to 21 U.S.C. § 841(b)(1)(B).

(2) Defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

The evidence against defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report as well as the testimony by Special Agent David Sanchez are adopted. Defendant associates with members of the Texas Syndicate, including allowing his cousin Juan Ramon Guajardo, an admitted member of the Texas Syndicate to reside with him. Moreover, defendant facilitated his cousin's transfer of a firearm to another Texas Syndicate gang member on his property. Finally, defendant allowed an illegal alien to reside and work on his property.

Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on a request of an attorney for the Government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 18th day of December 2007.

  
BRIAN L. OWSLEY  
UNITED STATES MAGISTRATE JUDGE